

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re the application of )  
Burbank et al. )  
For: **BREAST BIOPSY SYSTEM AND** )  
**METHOD** )  
Serial No.: Not yet assigned )  
Filed: Concurrently )  
Atty. Docket. No.: R0367-00105 )

Examiner: Not yet assigned  
Group Art Unit: Not yet assigned

**REQUEST FOR FILING A**  
**CONTINUATION APPLICATION**  
**UNDER 37 C.F.R. § 1.53(b)**

22390 U.S. PTO  
10/719612



Express Mail Label No.: ER 205012893 US  
Mailed in San Francisco, CA on November 21, 2003

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of co-pending prior application Serial No. 09/929,371, filed August 13, 2001, which is a divisional of pending prior application Serial No. 09/057,303, filed April 8, 1998, now U.S. Patent No. 6,331,166, which is a continuation of provisional application Serial No. 60/076,973, filed March 3, 1998, of Fred H. Burbank, Paul Lubock, and Michael L. Jones, for **BREAST BIOPSY SYSTEM AND LMETHOD**, which are incorporated herein in its entirety.

1. Enclosed is a true copy of the prior complete application as filed, including the specification (including claims), drawings, oath or declaration showing the signature or an indication it was signed, and any amendments referred to in the oath or declaration filed to complete the prior application.
2. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above. With respect to the prior

copending U.S. application from which this application claims benefit under 35 U.S.C. § 120, the inventor(s) in this application is (are):

☒ the same as those named in the prior application.

☐ less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:

3. ☒ The filing fees are to be calculated on the claims as filed in the prior application and the claims remaining as a result of the:

☐ amendment below;

☒ attached Preliminary Amendment.

Description	Fee Code	Claims	Extra	Rate	Fee
Basic Filing Fee	2001				\$385
Independent Claims	2201	2 - 3=	0 x	\$43=	\$0
Total Claims	2202	19 -20=	0 x	\$ 9=	\$0

**Total Fees Due ..... \$385**

4. Payment of Filing Fees:

☒ The Commissioner is authorized to charge any fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 and §1.17, to Deposit Account No. 04-1679, referencing Attorney Docket No. R0367-00105. **A duplicate copy of this paper is attached.**

5. The prior application is assigned of record to: **SenoRx, Inc.**

6. The power of attorney in the prior application is to: **Edward J. Lynch.**

☐ The power appears in the original papers in the prior application.

☒ Power of Attorney and Revocation of Prior Powers was filed 12/21/1999.

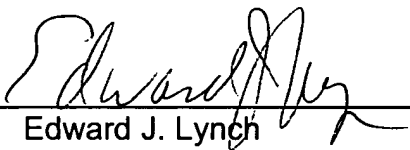
7. Please address all future correspondence to:

Edward J. Lynch  
DUANE MORRIS LLP  
One Market  
Spear Tower, Suite 2000  
San Francisco, CA 94105

8. Documents enclosed:

- ☒ Copy of prior complete application as filed including the specification (19 pages), claims (7 pages), and abstract (1 page), signed Declaration and Power of Attorney (1 page total), and informal drawings (11 sheets);
- ☒ Submission Of Formal Drawings;
- ☒ Eleven (11) Sheets of Formal Drawings as filed in pending prior application;
- ☒ Copy of Power of Attorney and Revocation of Prior Powers filed 12/21/1999;
- ☒ Change Of Correspondence Address;
- ☒ Preliminary Amendment and Information Disclosure Statement;
- ☒ Form PTO-1449; and
- ☒ Return receipt postcard.

Respectfully submitted,

By:   
Edward J. Lynch  
Registration No. 24,422  
Attorney for Applicants

DUANE MORRIS LLP  
One Market  
Spear Tower, Suite 2000  
San Francisco, CA 94105  
Telephone: (415) 371-2200  
Facsimile: (415) 371-2201  
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<b>METHOD</b>	)	
Serial No.: Not yet assigned	)	
Filed: Concurrently	)	<b><u>CHANGE OF</u></b>
	)	<b><u>CORRESPONDENCE ADDRESS</u></b>
Atty. Docket No.: R0367-00105	)	

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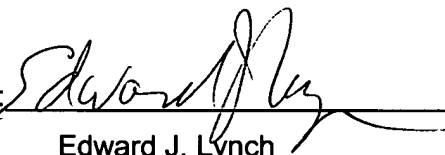
Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please address future correspondence for this application as follow:

Edward J. Lynch  
DUANE MORRIS LLP  
One Market  
Spear Tower, Ste. 2000  
San Francisco, CA 94105  
Direct Dial: (415) 371-2267

Respectfully submitted,

By:   
Edward J. Lynch  
Registration No. 24,422  
Attorney for Applicants

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Serial No.: Not yet assigned

Filed: Concurrently

Atty. Docket No.: R0367.00105

) Examiner: Not yet assigned

) Group Art Unit: Not yet assigned

) **SUBMISSION OF**  
) **FORMAL DRAWINGS**  
)  
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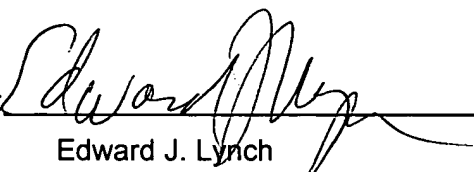
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Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith are eleven (11) sheets of formal drawings, as filed in the pending prior U.S. application Serial No. 09/929,371 for submission in the above-identified application.

Respectfully submitted,

By:   
Edward J. Lynch  
Registration No. 24,422  
Attorney for Applicants

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One Market  
Spear Tower, Ste. 2000  
San Francisco, CA 94109  
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